

Analyses of samples of the articles by this Department showed that Alberty's Calcatine consisted of tablets composed essentially of milk sugar with 0.06 percent of inorganic material, principally calcium salts, phosphate, and traces of sodium, potassium, iron, magnesium, and chlorine compounds; and that the Alberty's Lebara Organic Pellets, formerly Liver Cell Salts, consisted essentially of milk sugar with 0.04 percent of inorganic material, principally calcium salts, phosphate, and traces of sodium, potassium, iron, magnesium, and chlorine compounds.

The libels alleged that the articles were misbranded in that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the articles, were false and fraudulent: (Bottle label of portion of Calcatine) "Cell and Tissue Salts * * * Chief Remedy for the Growing Organism and for Correcting Constitutional Defects Uses—Acidosis, indigestion, calcium starvation, diarrhea, brain irritation, teething children. A Tonic after acute diseases and for constitutional weaknesses, emaciation, bone diseases, scrofulous and tubercular tendencies"; (bottle label of portion of Calcatine) "Especially useful in Calcium Deficiency * * * Aids acidosis * * * teeth, bones, etc."; (bottle label of Liver Cell Salts) "Liver Cell Salts For Malarial Disorders Biliousness and Diseases of the Liver Uric Acid Diathesis Uses—Ailments marked by excessive secretions of bile and derangement of the liver, gravel, sand in the urine, biliousness, headache and vomiting of the bile, bitter taste, diabetes, trouble arising from living in damp places, malaria, gout"; (bottle label of Alberty's Lebara Organic Pellets) "Organic Pellets Formerly Liver Cell Salts Aids Acidosis, Dormant Liver, Bile Secretions Clearing the Complexion."

On June 8, 1933, Thomas Martindale & Co., Philadelphia, Pa., having appeared as claimant for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be released to the claimant upon payment of costs and the execution of good and sufficient bonds, conditioned that they be relabeled under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*

21211. Misbranding of Pine-O-Sol. U. S. v. Purity Chemical Products Co. Plea of guilty. Fine, \$10. (F. & D. no. 29393. I. S. no. 22994.)

Examination of the product Pine-O-Sol disclosed that it contained no ingredient capable of producing certain curative and therapeutic effects claimed on the label. It also was represented that the article was an antiseptic, and was 100 percent active: whereas it was not an antiseptic, and it contained inert ingredients.

On March 27, 1933, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Purity Chemical Products Co., a corporation, Santa Rosa, Calif., alleging shipment by said company in violation of the Food and Drugs Act, on or about December 29, 1931, from the State of California into the State of Oregon, of a quantity of Pine-O-Sol which was misbranded. The article was labeled in part: "Pine-O-Sol A Healing and Antiseptic Spray for Poultry. Useful in the Treatment of Colds, Bronchitis, Influenza, Roup, Canker, Chicken Pox and Diphtheria Active Ingredients 100% Inert 0% * * * Purity Chemical Products Co."

Analysis of a sample of the article by this Department showed that it consisted of mineral oil (61 percent) and pine oil, (39 percent). Bacteriological examination showed that the article was not antiseptic.

It was alleged in the information that the article was misbranded in that certain statements on the label falsely and fraudulently represented that it was effective as a treatment for colds, bronchitis, influenza, roup, canker, chicken pox, and diphtheria in poultry, and effective as a healing and antiseptic spray for poultry. Misbranding was alleged for the further reason that the statements, "Pine-O-Sol * * * Antiseptic * * * Active Ingredients 100% Inert 0%", borne on the label, were false and misleading, since the article was not derived essentially from pine oil, but was a product composed in large part of mineral oil, it was not an antiseptic, and did not consist of 100 percent active ingredients, and contained inert ingredients.

On May 16, 1933, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$10.

M. L. WILSON, *Acting Secretary of Agriculture.*